

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RALPH SCHWARZ,)
Plaintiff,)
v.) CIVIL ACTION NO. 05-10331
U.S. FOODSERVICE, INC.)
Defendants.)
)

ASSENTED-TO MOTION TO EXTEND DISCOVERY DEADLINE

NOW COMES the plaintiff, Ralph Schwarz and moves the court to extend the deadline for depositions to be completed to April 14, 2006. To date, plaintiff has been unable to schedule a deposition of a necessary witness. Opposing counsel assents to the relief requested herein.

Respectfully submitted,

RALPH SCHWARZ

February 3, 2006

/s/ Frank P. Spinella, Jr.
By: Frank P. Spinella, Jr.
Hall, Morse, Anderson, Miller & Spinella
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CERTIFICATE OF SERVICE

I, Frank P. Spinella, Jr., do hereby certify that on this 3rd day of February, 2006, I electronically filed Assented to Motion to Extend Discovery Deadline using the Cm/ECF system which will send notification of such filing(s) to John P. McLafferty, Day, Berry & Howard LLP, One International Place, Boston, MA 02110.

/s/ Frank P. Spinella, Jr.
Frank P. Spinella, Jr.

